



S. 2271 - Sudan Accountability and Divestment Act of 2007

FLOOR SITUATION

S. 2271 is being considered on the floor under suspension of the rules and will require a two-thirds majority vote for passage. This legislation was introduced by Senator Christopher Dodd (D-CT) on October 31, 2007. The bill passed the Senate by unanimous consent on December 13, 2007.

S. 2271 is expected to be considered on the floor on December 18, 2007.

**Note – S. 2271 is similar to H.R. 180, which passed the house on July 31, 2007 by a vote of 418-1. ([Roll Call 764](#)) The principal difference in the two bills is that the House version contained language that would require the government to keep a list of companies whose stock could be divested if the company was found not to be in compliance with the Act. The Senate version does not contain this language.*

SUMMARY

Portions of the Act will terminate 30 days after the date on which the President has certified to Congress that the Government of Sudan has honored its commitments to:

- Abide by United Nations Security Council Resolution 1769 (2007);
- Cease attacks on civilians;
- Demobilize and demilitarize the Janjaweed and associated militias;
- Grant free and unfettered access for delivery of humanitarian assistance; and
- Allow for the safe and voluntary return of refugees and internally displaced persons.

BACKGROUND

S. 2271 directs the Securities and Exchange Commission to require all companies trading securities that directly or through a parent, or subsidiary company, conduct business operations in Sudan to disclose the nature of their business operations in Sudan, including:

- The existence and nature of business relationships and investments with national, regional, and local governments;

- Business activities with government or government-controlled entities;
- Business operations relating to the sale of military equipment or inherently 'dual-use' technology, such as civilian radar systems; and
- Business operations relating to natural resource extraction, including oil-related activities and mining of minerals.

Safeguards to ensure business operations do not become indirectly involved in the terrorist-sponsoring or genocidal policies of the Government of Sudan.

This Act prohibits the Government of the United States from entering into, or renewing, a contract for the procurement of goods and services with any company conducting business operations in Sudan unless the business:

- Is conducted under contract directly and exclusively with the regional government of southern Sudan;
- Is conducted under a license from the Office of Foreign Assets Control, or are expressly exempted under Federal law from the requirement to be conducted under such a license;
- Consists of providing goods or services to marginalized populations of Sudan;
- Consists of providing goods or services to an internationally recognized peacekeeping force or humanitarian organization; or
- Consists of providing goods or services that are used only to promote health or education.

The President may waive the prohibitions in this Act on a case-by-case basis.

CBO ESTIMATE

At the time of publication the CBO had not yet scored this legislation.

STAFF CONTACT

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